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IN THE UNITED STATES DISTRICT COURT
5 FOR THE WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 TELECOMMUNICATION SYSTEMS, INC.,
8
9 Plaintiff,

10 v.
11 LYNNE HOUSERMAN and MOTOROLA
12 SOLUTIONS, INC.,
13 Defendants.

14 LYNNE HOUSERMAN,
15 Plaintiff,
16 v.
17 COMTECH TELECOMMUNICATIONS
18 CORPORATION, FRED KORNBERG, AND
19 MICHAEL D. PORCELAIN,
20 Defendants.

21 Case Nos. 2:19-cv-00336-RAJ-BAT;
22 2:19-cv-00644-RAJ-BAT

23 **ORDER REGARDING THE
PRODUCTION OF ESI**

The Court consolidated discovery in these actions. *See* 2:19-cv-00336-RAJ-BAT Dkt. 32; 2:19-cv-00644-RAJ-BAT Dkt. 30. Pursuant to the stipulation and agreement of the parties (*see* 2:19-cv-00336-RAJ-BAT Dkt. 56; 2:19-cv-00644-RAJ-BAT Dkt. 67), it is hereby **ORDERED** that the production of electronically stored information (“ESI”) responsive to currently-outstanding discovery requests shall proceed as follows:

- 1 a. **May 6, 2020 Production.** By May 6, 2020, Comtech shall substantially complete
2 its production of all responsive, non-privileged ESI from the Comtech custodial
3 files of Mr. Kornberg.
- 4 b. **May 22, 2020 Production.** By May 22, 2020, Comtech shall substantially
5 complete the production of all responsive, non-privileged ESI. Comtech's
6 production of ESI by this date shall include ESI from the personal files, accounts,
7 and devices of Mr. Kornberg and Mr. Porcelain (including text messages, chat
8 messages, and social media messages), with the exception of data collected from
9 the cellphones of Mr. Kornberg and Mr. Porcelain, which is addressed below.
- 10 c. **June 9, 2020 Production.** By June 9, 2020, Comtech shall substantially
11 complete the production of all responsive, non-privileged ESI collected from the
12 personal and/or Comtech-issued cellphones of Mr. Kornberg and Mr. Porcelain,
13 including, without limitation, text messages, chat messages, and social media
14 messages as well as its production of Comtech's responsive ESI from agreed-
15 upon non-custodial sources. Also by June 9, 2020, and on a reciprocal basis, MSI
16 and Houserman shall substantially complete their production of all responsive,
17 non-privileged ESI.

18 **DATED** this 5th day of May, 2020.



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20 BRIAN A. TSUCHIDA
21 Chief United States Magistrate Judge
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